

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil No. 7:12-CV-21-BO

FILED IN OPEN COURT
ON 4/25/2012 *ur*
Julie A. Richards, Clerk
US District Court
Eastern District of NC

MONTEREY I HOLDINGS, LLC, a)
Wyoming Limited Liability Company,)
)
vs.)
)
WACCAMAW BANK, a North)
Carolina banking corporation;)
WACCAMAW BANKSHARES INC.,)
a North Carolina corporation; and)
DOES 1 through 40, inclusive,)
)
Defendants.)
_____)

ORDER ALLOWING CONTINGENT MOTION FOR WITHDRAWAL OF PLEADINGS

Before the Court is the Motion of Defendants Waccamaw Bank (“Waccamaw”) and Waccamaw Bankshares, Inc. (“Waccamaw Bankshares”) (collectively “Defendants”) to withdraw their (1) Emergency Motion for Dissolution of *Ex Parte* Order of Attachment, Docket Item No. 14, (2) Memorandum in Support of the Emergency Motion for Dissolution of *Ex Parte* Order of Attachment, Docket Item No. 15, (3) Reply in Support of the Emergency Motion for Dissolution of *Ex Parte* Order of Attachment, Docket Item No. 18, which motion is contingent on this Court’s approval of Plaintiff’s Motion to Voluntarily Dissolve the Order of Attachment, Docket Item No. 19, as well as on Plaintiff’s withdrawal of Docket Item Nos. 2, 5, and 17. The Court, having reviewed the Motions, Memoranda and the representations contained in each of their affidavits attached thereto and counsels’ argument, the Court finds that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein;

THEREFORE, it is hereby ordered that:

1. Plaintiff's Motion to Voluntarily Dissolve the Order of Attachment, Docket Item No. 19, is GRANTED,
2. Plaintiff's Docket Item Nos. 2, 5, and 17 are hereby WITHDRAWN,
3. Defendants' Emergency Motion for Dissolution of *Ex Parte* Order of Attachment, Docket Item No. 14 is WITHDRAWN,
4. Defendants' Memorandum in Support of the Emergency Motion for Dissolution of *Ex Parte* Order of Attachment, Docket Item No. 15 is WITHDRAWN, and
5. Reply in Support of the Emergency Motion for Dissolution of *Ex Parte* Order of Attachment, Docket Item No. 18 is WITHDRAWN.

SO ORDERED

This the 25 day of April, 2012.



THE HONORABLE TERRANCE W. BOYLE